

Applicant: Regine Heilbronn

Serial No. 09/720,252

**REMARKS****Status of the claims**

Claims 64 and 70 have been amended. Upon entry of the amendments, claims 63-71, 73-76 and 80-81 will be pending in the case.

**Examiner Interview**

In a telephonic interview with Examiner D. Guzo on January 23, 2006, claim 65 was discussed as being inconsistent and possibly incorrect in designating UL as a non-essential region of the HV genome. Applicant's representative agreed to review the specification and to make any amendments that might be appropriate.

**Amendments to claims 64 and 70**

Claim 70 as previously presented has been amended to make clear that the AAV rep/cap cassette can be integrated into the HV genome. This is described in the specification on pages 7-8, lines 31 bridging over to page 32, line 7 and continuing through line 18. For example, on page 8, lines 2-6, where it is stated that "...in which the corresponding herpesvirus replication gene has already been deleted from the outset. An example of a suitable gene for this purpose is the UL9 gene, which is absolutely essential for AAV replication..."

Claim 65, without further amendment, is also supported in the specification in view of the clarification amendment to claim 70.

Claim 64 has been amended to indicate that the cassette is integrated into either the Us or the UL region of the HV genome. Insertion at either position is supported on page 7, lines 31-38, particularly at line 32-33.

No new matter has been introduced as a result of the amendments, which are made for the purposes of

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**CONCLUSION**

In view of the foregoing, Applicant respectfully requests reconsideration and withdrawal of all pending rejections with allowance of claims 63-71, 73-76 and 80-81. If upon consideration of the foregoing arguments, the Examiner is not inclined to allow the application, Applicant respectfully requests a personal interview with the Examiner and Applicant's attorney and invites the Examiner to call the undersigned at the telephone number indicated below.

Respectfully submitted,

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